

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 21-48 are pending in the application, with claims 21, 36, 37, 43, 44, and 46 being the independent claims. Claims 1-20 are sought to be cancelled without prejudice to or disclaimer of the subject matter therein. New claims 21-48 are sought to be added. Support for these changes can be found, inter alia, at Paragraphs [0139] to [0158] of the written description, and FIG..8 and FIG. 9 of the drawings.

In the specification, Paragraph 0146 is sought to be amended to correct the spelling of “associated” therein. A replacement paragraph showing the revision is provided above.

These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Rejections under 35 U.S.C. § 102

A. Independent Claims 21, 36, 37, 43, 44, and 46

In the Office Action, the Examiner rejects claims 1-20 under 35 U.S.C. § 102(a) and (e) as allegedly being anticipated by U.S. Patent Application Publication No. 2003/0105854 to Thorsteinsson *et al.* (herein referred to as “Thorsteinsson”). (See Paper No. 06232005, pages 2-3). Although Applicant respectfully disagrees, these rejections are moot in light of the above Amendment.

Claims 1-20 are sought to be cancelled, and new claims 21-48 are sought to be added to recite features that are not disclosed by Thorsteinsson. For example with respect to independent claim 1, Thorsteinsson does not disclose “determining a region within the controlled environment,” “identifying a plurality of system components located within the region,” or “accessing a sequence of component-specific commands associated with the identified system components,” as recited therein.

In the Office Action, the Examiner asserts that Thorsteinsson “teach[es] grouping of devices by determined ‘regions’” to allege that Thorsteinsson discloses “determining a region within the controlled environment.” (See Paper No. 06232005, page 3). To support this assertion, the Examiner specifically relies on FIG. 11 and Paragraph [0108] of Thorsteinsson, which discusses how a central portal handles a request from a service provider (such as a power company) to communicate with several client sites (such as a home). In the example given by Thorsteinsson, a power company sends a request to the central portal to start specific dishwashers at a specified client sites in a chosen city

district. The central portal processes the request and issues commands via a wide-area network to the dishwashers at issue.

Therefore, Thorsteinsson discloses that a user or service provider must specify to the central portal the “particular” device or appliance that is requested to be controlled. For instance in the example cited by the Examiner, the service provider (i.e., Acme Electricity Company) instructs the central portal to start the dishwasher at a client site having the address 123 Main Street, as shown in FIG. 11. Without such specificity in the service provider’s request, the central portal would not be able to carry out the request.

Referring to independent claim 1, a particular device is not specified in a user request. Claim 1 allows for the identification of a particular “system component” and its associated “component-specific commands” to be determined from “a region within the controlled environment.” Therefore, the method recited in independent claim 1 is more dynamic than the teachings of Thorsteinsson in that the method of claim 1 can be automatically configured to apply to a number of specific situations or “contexts.”

For example, as described in Applicants’ specification (see, e.g., paragraphs [0139] to [0156]), a user can define a control macro that sends a sequence of commands to consumer electronics devices involved in playing a DVD movie (e.g., “turn on” TV, “turn on” DVD player, “play” DVD, etc.). However, the user is not required to define the “watch DVD” macro by reference to the specific brands or models of the TV and DVD player at issue. Rather, the user needs only to define a single general “watch DVD” macro that can be applied to any room in the user’s house. This dynamic nature of claim 1 obviates the requirement of having to define a separate “watch DVD” macro for each room that has a TV and DVD player.

Other context-based features are recited in independent claims 36, 37, 43, 44, and 46 that recite, for example, creating and/or accessing “a generic sequence of commands for controlling an operation and/or a function of one or more types of system components, wherein the generic sequence excludes identification of a particular system component.” The generic sequence is translated into “component-specific commands for controlling” a particular system component determined to be located within “a region within the controlled environment.” These features are not disclosed in Thorsteinsson, which requires a user or service provider to specify to the central portal the “particular” device or appliance that is requested to be controlled.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 21, 36, 37, 43, 44, and 46, and allowance thereof.

B. Dependent Claims 22-35, 38-42, 45, 47, and 48

In view of the Applicants’ remarks in Section A above regarding independent claims 21, 36, 37, 43, 44, and 46, Applicants submit that the respective claims that depend therefrom (claims 22-35, 38-42, 45, 47, and 48) are patentable over Thorsteinsson for at least the reasons stated above, in addition to the features recited therein. For example, Thorsteinsson does not disclose “detecting a presence of a subject within a predetermined region,” as recited in claim 24. Thorsteinsson does not disclose, for example, “positioning a subject within a controlled environment,” as recited in claim 27.

With respect to claim 28, Thorsteinsson does not disclose, for example, “tracking and/or monitoring movement of a system component.” In the Office Action, the

Examiner alleges that Thorsteinsson “necessarily provides for tracking of moving aspects of the system, since [Thorsteinsson teaches] incorporation of mobile devices in cars/boats (see at least Fig. 1, with associated text; paragraphs 0032). (Paper No. 06232005, page 3). However, Applicants’ claims do not merely recite “tracking of moving aspects,” but specifically recite “tracking and/or monitoring movement of a system component...[and] determining the region from the current location of the moving system component.” In the passages referenced by the Examiner, Thorsteinsson describes that one of its Client sites can be “boats and cars.” Using a portal to command “devices and appliances” within “boats and cars” is not comparable to “tracking and/or monitoring movement of a [device or appliance]” and “determining the region [i.e., either a specific boat or car or a specific area within a boat or car] from the current location of the moving [device or appliance].”

With respect to claim 31, Thorsteinsson does not disclose, for example, “polling system components within the controlled environment to identify the plurality of system components located within the region.” Thorsteinsson also does not disclose, for example, that a generic sequence can be defined explicitly by a user through a definition process as recited in claim 38, or defined implicitly by a system via information acquired during a system set-up process as recited in claim 40.

Therefore, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 22-35, 38-42, 45, 47, and 48, and allowance thereof.

Information Disclosure Statement

In the Office Action, the Examiner acknowledges receipt of Applicants' Information Disclosure Statement (IDS) filed on 15 June 2004. (Paper No. 06232005, page 2). However, on the accompanying Form PTO-1449, the Examiner indicates that Document No. AT1 (entitled "Copy of International Search Report for International Application Number PCT/US03/20189, Issued October 29, 2003) was not received.

In the 15 June 2004 IDS, Applicants indicated that a copy of Document AT1 would not be included with the IDS, because the document has been cited in an IDS in Application No. 10/382,897, which is relied upon for an earlier filing date under 35 U.S.C. §120. Moreover, Applicants respectfully request the Examiner's consideration of Document AT1 in addition to the prosecution and cited art in the parent Application Nos. 10/180,500 and 10/382,897 in accordance with MPEP 2001.06(b). Applicants further request the Examiner's indication in the next communication from the office that the art cited in the earlier prosecution history has been reviewed in connection with the present application.

Conclusion

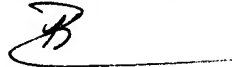
All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the

outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Kendrick P. Patterson
Attorney for Applicants
Registration No. 45,321

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1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600

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